

Town of Concord  
Zoning Board of Appeals

141 Keyes Road  
Concord, MA 01742  
Tel: (978) 318-3295  
Fax: (978) 318-3291



# Zoning Board of Appeals Application

Received by Clerk of the Board: \_\_\_\_\_ Town Use Only \_\_\_\_\_  
Town Clerk Stamped Received \_\_\_\_\_

Application Fee: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

## 1 Application Information

This Application is for:

- ☐ Special Permit    ☐ Site Plan Review    ☐ Variance    ☐ Comprehensive Permit  
☐ Appeal from a decision of the Building Inspector/Zoning Enforcement Officer

What Sections of the Concord Zoning Bylaw are applicable to this Application?  
(Specifically identify each section.)

\_\_\_\_\_

Nature and justification of request: (Attach additional pages if needed.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## 2 Property Information

Address: \_\_\_\_\_

Parcel ID #: \_\_\_\_\_

Map #: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Total land area (acres or square feet): \_\_\_\_\_

Lot frontage: \_\_\_\_\_

Present use: \_\_\_\_\_

Proposed use: \_\_\_\_\_

Check all applicable:

- ☐ Historic District  
☐ Wetlands Conservancy District  
☐ Flood Plain Conservancy District  
☐ Groundwater Conservancy District  
☐ Wireless Overlay District  
☐ White Pond Advisory Area  
☐ Property contains abandoned railroad right-of-way  
☐ 100' Wetland Buffer Zone  
☐ 200' River's Act Area  
☐ Within 2 miles of the end of any Hanscom Field runway

### 3 APPLICANT AND OWNER INFORMATION

The undersigned hereby certifies that he/she has read and examined this application, the Board of Appeals Procedures and Checklist and that the proposed project is accurately represented in the statements made in this application. The undersigned also certifies that applications have been filed with the Planning Board, Natural Resources, and White Pond Advisory Committee, if appropriate, and hereby requests a hearing before the Board of Appeals with reference to the above application.

Owner(s): \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature) \*required

\_\_\_\_\_  
(Please Print.) Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature) Date: \_\_\_\_\_

\_\_\_\_\_  
(Please Print.) Date: \_\_\_\_\_

\_\_\_\_\_  
(Address, if different from property address) Telephone: \_\_\_\_\_

Applicant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Please Print.) Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature) Date: \_\_\_\_\_

\_\_\_\_\_  
(Please Print.) Date: \_\_\_\_\_

\_\_\_\_\_  
(Address, if different from property address) Telephone: \_\_\_\_\_

Applicant is: ☐ Owner ☐ Tenant ☐ Agent/Attorney ☐ Purchaser

**To avoid project delays**, this Application and all supporting documentation must be reviewed by a Town of Concord Building Inspector prior to filing with the Town Clerk.

Please be advised that it is **the Applicant's responsibility to schedule an appointment to meet with a Building Inspector at least one to two weeks before the application submission deadline.**

This completed Application has been reviewed by a Town of Concord Building Inspector.

\_\_\_\_\_  
Signature of Building Inspector

\_\_\_\_\_  
Date of Review



TOWN OF CONCORD  
141 KEYES ROAD, CONCORD, MASSACHUSETTS 01742  
TEL. (978) 318-3295

## **Zoning Board of Appeals Application Procedures**

A copy of the Zoning Board of Appeals (ZBA) Meeting schedule and the **filing deadline** for each meeting can be found on the Town of Concord website [www.concordma.gov](http://www.concordma.gov) or a copy can be obtained at the Planning Division or ZBA Office. All hearings are open to the public, as required by law, and all applications submitted become public record. The applicant and/or his/her representative should plan to appear at the hearing.

### **Before the ZBA Application is filed.....**

1. Review all new applications with a Town of Concord Building Inspector to ensure that the application is correct, complete and clear. Applicable site plans, building plans and any required documentation should be included for this review. Please be advised that it is the Applicant's responsibility to schedule an appointment for this review **at least one to two weeks before the application submission deadline** in order to avoid project delays.
2. **Review the Concord Zoning Bylaw before completing the application.** Copies of the Zoning Bylaw can be viewed and/or purchased in the Building Division at 141 Keyes Road on the second floor or found on the Town of Concord website [www.concordma.gov](http://www.concordma.gov). Locate the specific sections of the Bylaw that pertain to your application and enter these section numbers on the application form. Complete the "nature and justification of your request" section of the application form by specifically addressing the language found in that section of the bylaw that pertains to your application. Also, if a **special permit** is sought, reference Section 11.6 of the bylaw or if a **variance** is sought, reference Section 11.7 of the bylaw. Failure to cite or note the correct sections could cause delays for your project.
3. Fill out the ZBA Application completely in accordance with these Application Procedures and the appropriate Application Checklist so that there will be no ambiguity or uncertainty as to your intent in seeking approval of your application.
4. Certain types of ZBA Applications require recommendations and/or approvals from other Boards and Commissions. Some examples are:
  - a. If any portion of the property is located within one of Concord's Historic Districts and your application involves any visible exterior change to the property, contact the Historic Districts Commission Office directly. A Certificate of Appropriateness must be issued by the **Historic Districts Commission** before a decision will be rendered by the ZBA.
  - b. If a **Planning Board** review and recommendation of the application is required, additional copies of the complete ZBA application package must be submitted to the Planning Board at the same time that the application is filed with the Zoning Board of Appeals.
  - c. If any portion of the project falls under the jurisdiction of the Massachusetts Wetlands Protection Act, contact the **Division of Natural Resources Office** directly. A Determination of Applicability and/or an Order of Conditions may be required before a decision will be rendered by the ZBA.

### **On the day the ZBA Application is filed.....**

1. Ten (10) copies of the application together with ten copies of all required documentation and plans are filed with the Town Clerk at the Town House at 22 Monument Square. The Town Clerk will date stamp each application, keep one copy and return nine copies to you.
2. At the same time that you file the application with the Town Clerk, submit one copy of the "Abutters List Request Form" to the Assessor's Office at 30 Monument Square in Suite 215. The Assessor's Office will calculate the number of Abutters to the property while you wait. The charge per Abutter is \$1.00 and must be paid to the Assessor's Office at that time. The Assessor's Office will later forward the list of Abutters to the ZBA Office and that Office will mail the Abutter Notices. The Assessor's staff will stamp a copy of the request form and give it back to you. This stamped copy is submitted to the Zoning Board of Appeals Clerk when you file your application.
3. The remaining nine copies of the application and documentation must be filed on the same day with the ZBA Clerk at 141 Keyes Road together with your check made out to the **Town of Concord** in the amount indicated on the Fee Schedule. (See below.)

### **Before the day of the ZBA Hearing.....**

Follow up with the staff of other town boards, as applicable, to ensure that their review and recommendation of the proposed project will be available before your scheduled hearing date. All necessary reviews and/or recommendations to the Board of Appeals from other town boards/staff must be available before a decision will be rendered by the Zoning Board of Appeals.

If you determine that these reviews and recommendations will not be available by the Board of Appeals scheduled hearing date, you should request a continuance of the ZBA hearing, in writing, until such other board review and recommendation is completed.

### **Make plans to attend the hearing or arrange for your representative to attend.**

#### **Fee Schedule**

Appeal Decision of the Building Inspector/Zoning Enforcement Officer	\$200.00
Special Permit (new)	\$200.00
Special Permit (renewal)	\$100.00
Fairs, bazaars, antique shows, suppers & dances (tax exempts or non-profits)	\$ 35.00
Variances	\$200.00
Comprehensive Permit	\$250.00

When filing an application for a **Comprehensive Permit**, the applicant shall also deposit with the Board a sum in the amount of **\$2,500** for projects up to and including 25 units. Such deposit shall be increased by the sum of \$50 for each additional unit over 25 units. This deposit will be utilized by the Board to defray the costs of consultants for review of the application. Any unused funds will be returned to the Applicant.

When filing an application for a **Special Permit for a Wireless Communications Facility**, the applicant shall also deposit with the Board a sum not to exceed \$10,000 to cover the cost of a technical consultant, hired by the Town of Concord, to review the application and evaluate alternatives. Any unused funds will be returned to the Applicant. **Please contact the Zoning Board of Appeals Office for the appropriate deposit amount.**

**Instructions:**

This form is to be completed by the Applicant and submitted to the Assessor's Office at the same time that the Applicant submits ten copies of a complete Zoning Board of Appeals Application to the Town Clerk. The Assessor's Office will calculate the number of Abutters to the property while you wait. The charge per Abutter is \$1.00 and must be paid to the Assessor's Office at that time. The Assessor's Office will later submit the list of Abutters to the Zoning Board Appeals Office and that Office will mail the Abutter Notices on the appropriate date.

**Abutters List Request Form**

Property Address: \_\_\_\_\_

Parcel Number: \_\_\_\_\_

Name of Person Requesting List: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Town Department list is requested for: **Zoning Board of Appeals**

Date Requested: \_\_\_\_\_

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**For Assessors use only**

Date Processed: \_\_\_\_\_

Amount paid: \_\_\_\_\_

## Concord Zoning Board of Appeals Application Checklist

Property Address: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

### Information to be submitted with application:

#### Recommendation from: (if applicable)

- ☐ Planning Board
- ☐ Natural Resources Commission
- ☐ Historic Districts Commission
- ☐ White Pond Advisory Committee

☐ **Check made payable to the Town of Concord for \$** \_\_\_\_\_

☐ **Written description of proposed changes:** This should include a thorough description of the existing conditions or use; the proposed changes, including proposed use changes and any other relevant information that the Board may need in reviewing the application. For a renewal of a special permit, submit a copy of the current special permit decision and related documentation.

☐ **Proof of when house or structure was built:** This can be most conveniently obtained by copying the Assessor's Data Sheet of the property available in the Assessor's office.

☐ **Basic site plan:** This plan should include the property boundaries, outlines of existing buildings and structures; outlines of proposed buildings and structures; existing and proposed pavement areas; and existing and proposed easements. This plan should be prepared and stamped by a registered land surveyor.

☐ **Detailed site plan:** This plan should include the same information as the basic site plan plus, in addition, all public and private utilities on-site; existing and proposed curb cuts; and dumpster locations; and any other information relevant to the petition. This plan should be prepared and stamped by a registered land surveyor.

- ☐ **Certified Plot Plan** showing closest points of structure to each lot line. This plan should be prepared and stamped by a registered land surveyor.
- ☐ **Parking layout:** Submit dimensioned existing and proposed layout, including stall delineations. (9 foot by 22 foot dimensioned parking spaces)
- ☐ **Wetlands and flood plain conservancy district delineation:** This information is available from the Town. Actual 100-year flood elevation requires a registered land surveyor. Actual wetlands delineation requires a wetlands scientist.
- ☐ **Landscape plan:** Include type and size of plant material proposed to be planted, plus outline of planting beds.
- ☐ **Photographs:** Photograph the area proposed to be changed from various angles and show on the site plan the location from which the photos were taken. Include views of abutting property. Photos should be mounted on an 8-1/2" x 11" page.
- ☐ **Sign details and location:** Show the location of existing and proposed signs on the site plan.
- ☐ **Floor plans:** Include existing and proposed layout, drawn to scale and dimensioned.
- ☐ **Building elevations:** Show existing conditions and proposed changes drawn to scale.  
For Architectural plans, anything other than one and two family residential developments, **ALL** plans must be prepared by a MA Registered Architect.
- ☐ **A copy of the record deed** for the property.
- ☐ **Other:** \_\_\_\_\_

**Number of copies that must be submitted with application:**

- ☐ Ten (10) copies of the completed application
- ☐ Ten (10) copies of all supportive materials
- ☐ Two (2) full size copy of the plan(s) showing all requested information, including floor plans & elevations
- ☐ Ten (10) copies of an 11" x 17" reduction of the plan(s)
- ☐ One copy of the Abutters List Request Form stamped by the Assessor's Office